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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 5178 of 2007

PETITIONER		Ulfi Bai, daughter of late Makhan, aged about 31 years, resident of South Vasundhara Nagar, Bhilai-III, Distt. Durg (C.G).
		Versus
RESPONDENTS	1	State of Chhattisgarh, through the Secretary, Ministry of Home & General Administration Department, D.K.S. Bhawan, Raipur (C.G.)
	2	The Director, Urban Planning & Development Department, Raipur (C.G)
	3	The Chief Executive Officer, Municipal Corpn., Bhilai Charoda, Distt. Durg (C.G).

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Dinesh R.K. Tiwari, counsel for the petitioner.

Shri A.S. Kachhawaha, Govt. Advocate, appears for the State/respondents.

ORAL ORDER
(17.09.2007)

SUNIL KUMAR SINHA, J,

Heard.

Learned counsel for the petitioner submits that the father of the petitioner namely Makhan Lal, who was working as Sweeper, in Municipal Council, Charoda, Bhilai has expired on 22.11.2003 while he was in service. Thereafter, the petitioner who is the daughter of deceased, made an application for compassionate appointment on 17.2.2004 (Annexure P-2), but no decision has been taken on the said application. He submits that in the cause title, respondent no.3, "the Chief Executive Officer Municipal Corporation" has been wrongly mentioned whereas the correct designation is "The Chief Municipal Officer, Municipal Council, Charoda Bhilai". He submits that the petition may be disposed of with a direction to the respondents 2 & 3 to dispose of the said application for compassionate appointment filed by the petitioner.

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Learned State Counsel submits that the application appears to be old one and it does not appear in proper *proforma*, therefore, instead of giving direction to dispose of the pending application (Annexure P-2), the petitioner may be directed to file a fresh application and then any direction for disposal be given to which he would have no objection.

Considering the facts and circumstances of this case, prayer made by learned counsel for the petitioner is allowed.

It is directed that the petitioner, if so advised, may file a fresh application for compassionate appointment giving all details before the concerned authority within a period of 3 weeks from today and if such an application is filed, the concerned authority shall take decision on the said application filed by the petitioner within a period of 3 months from the date of filing of such application.

With the aforesaid direction, this petition stands finally disposed of.

C.c. as per rules.

Sd/-
Sunil Kumar Sinha
Judge